

### **REMARKS**

In accordance with the foregoing, claims 1, 5, 6, 10, 14, and 15 have been amended. No new matter is being presented. Therefore, claims 1-20 are pending and reconsideration is respectfully requested.

### **THE OBJECTION TO THE DISCLOSURE:**

The disclosure has been objected to. However, the specification has been amended to clarify the disclosure according to the comments of the Examiner. Accordingly, it is requested that the objections be withdrawn.

### **REJECTIONS UNDER 35 U.S.C. §112:**

Claims 1, 6-9, 10 and 15-18 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. However, it is noted that claims 1 and 10 have been amended and that the phrases in question have been addressed and corrected in accordance with the suggestions of the Examiner. Accordingly, it is believed that these rejections are overcome.

### **REJECTIONS UNDER 35 U.S.C. §102:**

Claims 1 and 9 are rejected under 35 U.S.C. §102(b) as being anticipated by Sasaki et al (U.S. Patent 6,277,516) and claims 1 and 9 are rejected under 35 U.S.C. §102(e) as being anticipated by Yamashita et al (U.S. Patent 6,841,298). These rejections are traversed.

Regarding the rejection of claim 1, it is noted that claim 1 recites a pouch-type lithium secondary battery, comprising a battery unit having a positive plate, a separator, and a negative plate, a plurality of electrode tabs respectively coupled to the positive and negative plates, a case, formed with a space receiving the battery unit and with upper and lower sealing surfaces which are thermally fused to each other, the electrode tabs being extended from the case between the fused surfaces, folded back toward one of the fused surfaces, and then folded away from the one of the fused surfaces, and insulating tape wrapping the electrode tabs from positions between the fused surfaces to the positions where the electrode tabs are folded away from the one of the fused surfaces.

In other words, as claimed, electrodes are folded both toward and away from the one of the fused surfaces, and the insulating tape insulates the electrode tabs from positions between the fused surfaces to the positions where the electrode tabs are folded away from the one of the

fused surfaces. These features are not shown in either Sasaki or Yamashita.

In detail, it is noted that neither Sasaki nor Yamashita disclose or are even cited as disclosing that the features in these references that are understood as corresponding to the electrode tabs being folded back toward the features that correspond to the casings of these references (and certainly do not disclose folded them away from these features thereafter). As such, even where these references disclose a feature corresponding to the claimed insulating tape (i.e., heat fusion-bonding seal material 1 of Sasaki and the corrosion-resistant layer 4S or Yamashita), neither reference can possibly be interpreted as disclosing that their respective "insulating tape" features wrap "the electrode tabs from positions between the fused surfaces to the positions where the electrode tabs are folded away from the one of the fused surfaces," as claimed.

Thus, the applicant respectively asserts that claims 1 and 9 (due to its dependency on claim 1) are patentably distinguished from both references. Therefore, the rejections of these claims are believed to be traversed.

It is further noted that it appears that the Examiner may have intended to reject claim 10 based on the same reasoning as claim 1. With respect to such a rejection, it is believed that since claims 1 and 10 recite substantially similar features, any rejection of claim 10 based on the above-discussed references would be traversed on similar grounds as set forth above with respect to claim 1.

#### **REJECTIONS UNDER 35 U.S.C. §103:**

Claims 1-5, 9-14 and 18 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Daroux et al (U.S. Patent 6,267,790), and claims 6-8 and 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Daroux et al (U.S. Patent 6,267,790). These rejections are traversed.

Regarding the rejections of claims 1 and 10, it is noted that claims 1 and 10 recite insulating tape wrapping the electrode tabs from positions between the fused surfaces to the positions where the electrode tabs are folded away from the fused surface. With particular respect to the recitation of the insulating tape wrapping the electrode tabs "to the positions where the electrode tabs are folded away from the one of the fused surfaces," the applicant respectfully asserts that Daroux fails to disclose the claimed invention.

In detail, it is noted that, in Daroux, while the leads 16 and 18 are folded back along a top surface of the package 14 of the laminate material, similar to the manner in which the claimed electrodes are folded back towards the one of the fused surfaces, the leads 16 and 18 are not disclosed as being folded away from the package 14, as claimed. It is further noted that the

bands 62 and 64 wrap the leads similar to the manner in which the claimed insulating tape wraps the electrodes. The difference here, however, is that in Daroux, the bands 62 and 64 only wrap a small fraction of the length of the leads 16 and 18, such that a substantial length of the leads 16 and 18 are exposed to contact with the top surface of the package 14. Meanwhile, as claimed, the electrodes are insulated by the insulating tape from positions between the fused surfaces to the positions where the electrode tabs are folded away from the one of the fused surfaces. As such, the claimed invention provides improved insulating ability for the electrodes than Daroux.

Thus, applicant respectfully asserts that claims 1 and 10 are patentably distinguished from the reference. Therefore, it is believed that the rejections of claims 1 and 10 are traversed.

Regarding the rejections of claims 2-5, 9, 11-14 and 18 and claims 6-8 and 15-17, it is noted that these claims depend from claims 1 and 10 and are, therefore, allowable for at least the reasons set forth above.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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